

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JAMES A. THEROLF,

Plaintiff,

v.

DECISION AND ORDER
14-CV-632A

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

The above-referenced case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1)(B). On February 13, 2017, Magistrate Judge Foschio filed a Report and Recommendation (Dkt. No. 17), recommending that defendant's motion to remand this matter for further administrative proceedings (Dkt. No. 15) be denied. Magistrate Judge Foschio further recommends that plaintiff's motion for summary judgment (Dkt. No. 11) also be denied.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Foschio's Report and Recommendation, defendant's motion to remand this matter for further administrative proceedings is denied. It is further ORDERED that plaintiff's motion for summary judgment is denied

The Clerk of Court shall take all steps necessary to close the case.

IT IS SO ORDERED.

Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: March 16, 2017